

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE HONORABLE OTTO J. REICH and
OTTO REICH ASSOCIATES, LLC,

Plaintiffs,

vs.

LEOPOLDO ALEJANDRO BETANCOURT
LOPEZ, PEDRO JOSE TREBBAU LOPEZ, and
FRANCISCO D'AGOSTINO CASADO,

Defendants.

Defendants' Public Filing

ECF CASE

13 CV 5307 (PJO)

**ATTORNEY'S DECLARATION OF JULIA C. GREEN
IN SUPPORT OF DEFENDANT BETANCOURT LOPEZ'S MOTION FOR LEAVE TO
FILE A SURREPLY MEMORANDUM OF LAW**

Julia C. Green declares under penalty of perjury as follows:

1. I am a lawyer at the firm of Lankler Siffert & Wohl LLP, counsel for Defendant Leopoldo Alejandro Betancourt Lopez in the above-captioned action. I make this declaration in support of the motion by Defendant Betancourt for leave to file a surreply memorandum of law in support of his renewed motion to dismiss and in response to the surreply memorandum of law filed by Plaintiffs on February 3, 2015.

2. Attached hereto as Exhibit 1 is the surreply memorandum of law that Defendant Betancourt seeks leave to file with the Court.

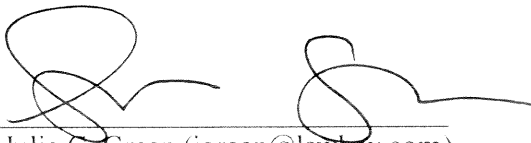
3. Attached hereto as Exhibit 2 is a copy of Defendant Leopoldo Alejandro Betancourt Lopez's Venezuela passport, which he produced to Plaintiffs on November 11, 2014. This copy is true and correct, except that, for the purposes of this motion, we have highlighted

certain stamps in yellow and orange. Highlighted in yellow are all passport stamps reflecting any travel to the United States in 2013. (*See* pp. 9, 12, 14.) The stamps reflect that Betancourt's last arrival to the United States in 2013 was on April 18, 2013, when he arrived in Port Everglades, Florida (PEV). (*See* p. 14.) Highlighted in orange are stamps reflecting travel in the days following April 18, 2013: an April 21, 2013 stamp from the Republic of Congo and an April 24, 2013 stamp from Venezuela. (*See* pp. 13, 14.) These stamps show that Betancourt had left the United States by no later than April 21, 2013. No passport stamps reflect any entries to the United States in May, June, or July of 2013.

4. Attached hereto as Exhibit 3 is a true and correct copy of Defendant Leopoldo Alejandro Betancourt Lopez's Italy passport, which he produced to Plaintiffs on November 11, 2014. This passport does not contain any stamps reflecting travel to the United States in 2013.

5. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: New York, New York
February 4, 2015



Julia C. Green (jgreen@lswlaw.com)